

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

JOSE DANIEL ORELLANA JUAREZ,

Petitioner,

v.

ANTONE MONIZ, Superintendent, Plymouth  
County Correctional Facility, PATRICIA  
HYDE, Field Office Director, TODD LYONS,  
Acting Director U.S. Immigrations and  
Customs Enforcement, and KRISTI NOEM,  
U.S. Secretary of Homeland Security

Respondents.

Civil Action No. 25-cv-11266-MJJ

**RESPONDENTS' STATUS REPORT AND ASSENTED-TO MOTION TO CONTINUE  
HEARING**

In accordance with this Court's Order dated May 8, 2025 (Doc. 6), Respondents, Patricia Hyde, Todd Lyons, and Kristi Noem ("Respondents"), respectfully submit the following status report in response to the Petition for Writ of Habeas Corpus filed by Petitioner, Jose Daniel Orellana Juarez, pursuant to 28 U.S.C. § 2241:

1. In his Petition, Petitioner seeks judicial review of an Expedited Removal Order that was issued to him by U.S. Immigration and Customs Enforcement ("ICE") on or about May 5, 2025. Doc. 1 ¶¶ 4, 8. Specifically, Petitioner challenges whether he can be subject to an Expedited Removal Order because, according to him, he has been in the United States for more than two years. Doc. 1 ¶ 10.

2. ICE has since determined that it will remove Petitioner from Expedited Removal proceedings under 8 U.S.C. § 1225 and place him into removal proceedings in accordance with

8 U.S.C. § 1229a. To that end, ICE will be serving Petitioner with a Notice to Appear pursuant to 8 U.S.C. § 1229a.

3. Considering the above, Respondents respectfully request that the hearing that is scheduled for May 12, 2025 at 3:00 p.m. be continued to a date after May 30, 2025, so as to permit ICE to draft and serve the Notice to Appear. Counsel for Petitioner assents to the continuation of the hearing for this purpose.

4. The Parties have agreed to file a Joint Status Report by May 30, 2025, indicating whether the hearing is necessary.

WHEREFORE, Respondents respectfully request that the hearing scheduled for May 12, 2025 be continued to a date after May 30, 2025, with the understanding that the Parties will file a Joint Status Report by May 30, 2025, indicating whether the hearing is necessary.

Respectfully submitted:

LEAH B. FOLEY  
United States Attorney

By: /s/ Nicole M. O'Connor  
Nicole M. O'Connor  
Assistant U.S. Attorney  
U.S. Attorney's Office  
1 Courthouse Way, Suite 9200  
Boston, MA 02210  
(617) 748-3112  
Nicole.O'Connor@usdoj.gov

**7.1 CERTIFICATION**

I, Nicole M. O'Connor, hereby certify that I conferred with counsel for Petitioner regarding Respondents' motion to continue the hearing scheduled for May 12, 2025 at 3:00 p.m. Counsel assented to the continuance of the hearing and agreed to file a Joint Status Report by May 30, 2025.

Dated: May 12, 2025

/s/ Nicole M. O'Connor

Nicole M. O'Connor

Assistant U.S. Attorney

**CERTIFICATE OF SERVICE**

I, Nicole M. O'Connor, hereby certify that I served a true copy of the above document upon all parties of record via this court's electronic filing system and upon any non-registered participants via first class mail.

Dated: May 12, 2025

/s/ Nicole M. O'Connor

Nicole M. O'Connor

Assistant U.S. Attorney